



1933

Rule Making Powers

North Dakota Law Review Associate Editors

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Bill Number		Date Approved
328	Seed Liens	3- 6-33
330	Repeal North Dakota Governmental Survey Commission	3- 3-33
331	Repeal Industrial Survey Commission	3- 3-33

HOUSE BILLS

17	Prevention of Nepotism	3- 3-33
27	Fees Leasing and Sale of School Lands	3- 3-33
60	Opening and Closing School Election Polls	2-17-33
63	Transfer Special Bridge Fund to General Fund; Big Bend Bridge	3- 6-33
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70	Grant Special Powers Cities	3- 3-33
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89	Prohibiting Marihuana	3- 6-33
101	Rights Tax Certificate Purchasers	3- 3-33
112	Tax Information for Bank of North Dakota	3- 3-33
138	City Manage Plan	3- 3-33
147	Repeal Hotel Inspector	3- 3-33
148	Taxation and Licensing Motor Vehicles	3- 7-33
160	Size and Load Motor Vehicles on Highway	3- 3-33
174	Execution of Warrant Issued by Magistrate and Justice of Peace	3- 6-33
188	Change Corporate Headquarters Synodical Religious District	3- 6-33
189	Change Corporate Name Synodical Religious District	3- 6-33
202	Municipal Bonds Funding Outstanding Indebtedness	3- 6-33
214	Additional Jurisdiction Judges District and County Court	3- 1-33
245	Award Contracts Road, Bridge Work and Materials	3- 6-33
249	North Dakota Regulatory Department	3- 6-33
275	Extension Redemption Tax Sale Certificate Not Held by County	3- 3-33
276	Board of Trustees Soldiers' Home	3- 7-33
289	Administration County Poor Relief	3- 6-33
320	Seed and Crop Production Lien	3- 7-33
323	Notice of Intention Foreclosure Real Estate Mortgage	3- 6-33
335	Defining Lignite Char and Lignite Briquets	3- 6-33
342	Tax Levy Capitol Building	3- 3-33
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RULE MAKING POWERS

The plan of the American Bar Association for a committee of three members of the Bar selected in each federal district by the presidents

of the state bar associations to confer with such district judges on matters of practice and to formulate suggestions for the action of the National Conference of Circuit Judges, is being carried out in most parts of the country.

Recently the American Bar Association's Committee on Rule Making Power has received criticisms or complaints concerning this plan. One assumed that the plan "is designed to get an act of Congress authorizing the Supreme Court of the U. S. to formulate rules of practice in law cases." Another said "the existing order might better be left alone . . . to hunt for an ache of which one is not presently aware is to make confusion worse confounded." Another suggested, "It would be highly presumptuous to take any active steps." And yet another, in declining appointment, remarked, "It will be just one more instance where energy and money are wasted. These federal judges have the power. They do not enjoy being criticised. In fact, we have taken a subservient attitude and generally tell them to their faces at least, that they are right even when we think they are wrong."

And so the committee expresses the hope that the plan will be carried forward, that useful contributions to the public interest will result, and that, in any event, the value of the plan can not be ascertained until it has been given a fair trial.

WHY DON'T WE STICK?

This organization, apparently, isn't much better than a farmers' organization in adhering to the expressed will of the majority. During the past month we have had several letters indicating that members of the Association are not abiding by the rule, adopted at the 1932 annual meeting, to collect a filing fee of \$1.00 for each claim placed in the hands of an attorney for collection.

The organized effort of the Bar of this State will come to naught so long as individuals insist on showing their independence of spirit by violating the expressed will of the majority on fees, ethics, and other matters. If the attitude of the Association is wrong, let's change the attitude in open meeting. Why stay away or sit back when the time for action is at hand and then undermine collective effort through individual action?

SIGNIFICANT (?)

November 1st, 1932, the New York Compensation Lawyers Association requested the removal of Labor Commissioner, Frances Perkins, "as her administration has been and is a failure." March 4th, 1933, President Roosevelt placed her in his cabinet as Secretary of Labor.

Says the World-Telegram, New York: "Every working man and woman in the country should rejoice in Miss Perkins' appointment to the cabinet."

OFFER

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